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**Comments:**

Attorney Docket: 220002066000  
Group Art Unit: 1632  
Examiner: P. Paras, Jr.  
Serial No.: 09/954,571  
Filing Date: September 11, 2001  
Inventor(s): Kenneth CHIEN  
Title: HIGH EFFICIENCY CARDIAC GENE TRANSFER

**Papers attached:**

1. Transmittal (1 page)
2. Preliminary Amendment and Response to Restriction Requirement (14 pages)
3. Fee Transmittal (1 page + 1 copy)
4. Petition for Extension of Time (1 page)

sd-205590

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

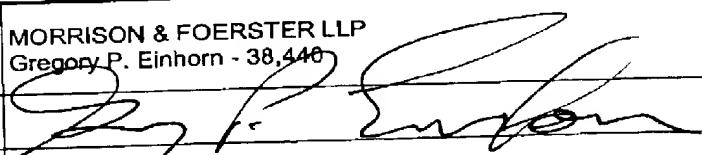
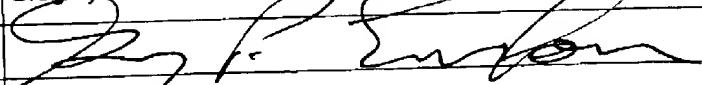
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/954,571
Total Number of Pages in This Submission 19	Filing Date September 11, 2001	
	First Named Inventor Kenneth CHIEN	
	Art Unit 1632	
	Examiner Name P. Para, Jr.	
	Attorney Docket Number 220002066000	

**ENCLOSURES (Check all that apply)**

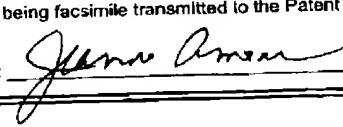
<input checked="" type="checkbox"/> Fee Transmittal Form 1 pg. + 1 copy <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet - 1 pg.
<input checked="" type="checkbox"/> Amendment/Reply - 14 pgs. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input checked="" type="checkbox"/> Extension of Time Request - 1pg. <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<b>Remarks</b> Customer Number 25225

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440	
Signature 	
Date June 21, 2004	

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Dated: June 21, 2004

Signature:  (Jeanne Amour)

sd-205588

Attorney's Docket No.: 22000-20660.00/ UC 94-161-9

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ken CHIEN    Art Unit : 1632  
 Serial No. : 09/954,571    Examiner : Peter Paras, Jr.  
 Filed : September 11, 2001  
 Title : HIGH EFFICIENCY CARDIAC GENE TRANSFER

Commissioner for Patents  
 P.O. Box 2327  
 Arlington, VA 22202

**PRELIMINARY AMENDMENT AND  
RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Responsive to the COMMUNICATIONS mailed April 13, 2004, and December 19, 2003, and in further response to the Election/Restriction Requirement mailed August 13, 2003, Applicants respectfully request entry of the amendment and consideration of the remarks set forth herein. A response to the Office Action was originally due March 19, 2004. Applicants submit herewith a Petition for Extension of Time to extend the time to reply to this Office Action for three months to June 21, 2004 (June 19, 2004, is a Saturday). Accordingly, this Response is timely filed.

Amendments to the specification are on page 2 of this paper.

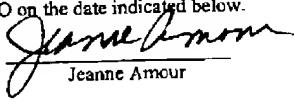
Amendment to the claims are reflected in the listing of claims which begin on page 3 of this paper.

Remarks begin on page 10 of this paper.

The following documents are enclosed herewith:

- Transmittal letter, petition to Extend Time, postcard;
- Facsimile cover sheet.

sd-205593

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